

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

**WILLIAM HALLMAN and DEANNA
WALKER, Each Individually and on
Behalf of All Others Similarly Situated**

PLAINTIFFS

vs.

Case No. 3:19-cv-368-DPM

PECO FOODS, INC.

DEFENDANT

PLAINTIFFS' MOTION FOR COSTS AND ATTORNEYS' FEES

Plaintiff William Hallman, individually and on behalf of all others similarly situated, by and through his attorneys, Sanford Law Firm, PLLC, for his Motion for Costs and Attorneys' Fees, states as follows:

1. Plaintiffs filed this case on December 17, 2019, pursuant to the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 et seq, and the Arkansas Minimum Wage Act (AMWA), Ark. Code Ann. § 11-4-201, et seq, to recover unpaid wages.
2. This case progressed through formal and informal discovery efforts including written discovery requests and depositions, as well as extensive motions practice and, ultimately, settlement negotiations.
3. On February 10, 2023, the parties filed their Joint Notice of Liability Settlement (ECF No. 168) representing that they had reached a liability-only settlement in principle and were in the process of finalizing related liability settlement documents. The Parties further represented that they would attempt to settle the issue of Plaintiffs'

attorneys' fees and costs and, if they were unable to do so, Plaintiff would file a petition for costs and attorneys' fees.

4. On March 28, 2023, the Parties filed their Joint Motion for Approval of Liability Settlement and Partial Dismissal with Prejudice (ECF No. 177) that reserved Plaintiffs' right to petition for costs and attorneys' fees, which the Court granted in its Order (ECF No. 178) dated March 30, 2023.

5. Having failed to negotiate costs and attorneys' fees, Plaintiffs file the current Motion requesting an award of costs and attorneys' fees pursuant to the FLSA, 29 U.S.C. § 216(b), and the AMWA, Ark. Code Ann. § 11-4-218(a).

6. As shown on the Billing Spreadsheet attached hereto as Exhibit 1, Plaintiffs request \$127,921.60 in attorneys' fees incurred through March 25, 2023, related to the successful litigation of Plaintiffs' claims. Plaintiffs categorized and summarized billing by attorney and category of work for the Court's convenience in reviewing this request.

7. As shown in detail on Plaintiffs' Costs Invoice (Exhibit 3), Plaintiffs also incurred \$6,306.56 in costs other than attorneys' fees during litigation. Plaintiffs are entitled to these costs under the FLSA, 29 U.S.C. § 216(b), and under Rule 54(d).

8. Accordingly, Plaintiffs request a total award of costs and attorneys' fees in the amount of \$134,228.16.

9. In support of this Motion, Plaintiffs attach hereto and incorporate herein the following exhibits:

- Ex. 1 Billing Spreadsheet;
- Ex. 2 Declaration of Attorney Josh Sanford; and
- Ex. 3 Costs Invoice

10. This Motion is supported by a contemporaneous Memorandum Brief.

WHEREFORE, Plaintiffs respectfully request that this Motion for Costs and Attorneys' Fees be granted in its entirety, that the Court award Plaintiffs fees and costs in the amount of \$134,228.16, and for all other just and equitable relief to which Plaintiffs may be entitled.

Respectfully submitted,

**WILLIAM HALLMAN, Individually and
on Behalf of All Others Similarly
Situated, PLAINTIFF**

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